



Atty. Dkt. No. 085747-0170

RCE/1615 \$
RECEIVED

SEP 12 2003

TECH CENTER 1500/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David S. WELLS, et al.
Title: SUSTAINED-RELEASE
FORMULATIONS FOR
TREATING CNS-MEDIATED
DISORDERS
Appl. No.: 09/691,237
Appl. Filing Date: 10/19/2000
Examiner: L. Channavajjala
Art Unit: 1615

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

- ☐ Please enter and consider the amendment/reply previously filed on ____.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.
- ☐ Other ____.

09/11/2003 RMEBRAHT 00000046 09691237

01 FC:1801

750.00 OP

b. Enclosed are:

- ☒ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ___ listed reference(s).
- ☒ Petition for Extension of Time.

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)				\$750.00	\$750.00
Total Claims:	27	34	0	x \$18.00	\$0.00
Independents:	3	3	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$750.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the fifth month:	\$1,970.00	\$1,970.00
EXTENSION FEE TOTAL:		\$1,970.00
CLAIMS AND EXTENSION FEE TOTAL:		\$2,720.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)		\$0.00
TOTAL FEE:		\$2,720.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$2,720.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$2,720.00 to cover the filing fee of \$750.00 and the extension of time fee of \$1,970.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date Sept 9, 2003

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Respectfully submitted,

Michael M. Smith
Reg No. 34,717

By _____

for

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768